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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/888,616

Filing Date

June 26, 2001

First Named Inventor

Murray J. Thomson

Group Art Unit

3743

Examiner Name

Attorney Docket Number

2223-105

## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/  
Incomplete Application

☒ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☐ Other Enclosure(s)  
(please identify below):

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

BERESKIN & PARR

Signature

Date

October 15, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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# **FREE TRANSMITTAL** **for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$)

444.00

## **Complete if Known**

Application Number	09/888,616
Filing Date	June 26, 2001
First Named Inventor	Murray J. Thomson
Examiner Name	
Group Art Unit	3743
Attorney Docket No.	2223-105

## **METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

022095

Deposit Account Name

Bereskin & Parr

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: **#3204**

☒ Check

☐ Credit card

☐ Money Order

☐ Other

## **FEE CALCULATION**

### **1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370		Utility filing fee	370.00
106 330	206 165		Design filing fee	
107 510	207 255		Plant filing fee	
108 740	208 370		Reissue filing fee	
114 160	214 80		Provisional filing fee	

SUBTOTAL (1) (\$)

370.00

### **2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
21	-20** = 1 X	9.00	9.00
	-3** = 0 X		0
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9		Claims in excess of 20	
102 84	202 42		Independent claims in excess of 3	
104 280	204 140		Multiple dependent claim, if not paid	
109 84	209 42		** Reissue independent claims over original patent	
110 18	210 9		** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

9.00

\*\*or number previously paid, if greater, For Reissues, see above

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Statement	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

65.00

## **SUBMITTED BY**

Name (Print/Type)	Stephen M. Beney	Registration No. (Attorney/Agent)	41,563	Telephone	(416) 364-7311
Signature	<i>[Signature]</i>	Date	October 15, 2001		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**Bereskin & Parr**



Barristers and Solicitors/Patent and Trade Mark Agents  
Practice Restricted to Intellectual Property Law

October 15, 2001

Stephen M. Beney B.Sc. (Physics)  
416.957.1697 sbeney@bereskinparr.com

Your Reference: 09/888,616  
Our Reference: 2223-105

**Response to Notice to  
File Missing Parts**

The Commissioner of Patents  
& Trademarks  
Washington, D.C.  
U.S.A 20231

Dear Sir:

**Re: United States Patent Application No. 09/888,616**  
**For: METHOD AND APPARATUS FOR IMPROVED PROCESS CONTROL IN**  
**COMBUSTION APPLICATIONS**  
**Filed: June 26, 2001**  
**Applicant: Murray J. Thomson et al.**

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This is in response to the Notice to File Missing Parts dated November 27, 2000 for the above application.

As required, the applicant hereby submits its filing fee and surcharge and encloses an executed inventor's declaration. Applicant claims small entity status.

The government fee of \$444.00 is included in our cheque No. 3204. Please charge any deficiency or credit any overpayment to our deposit account No. 02-2095.

A copy of the Notice is also enclosed as required.

Respectfully submitted,

MURRAY J. THOMSON ET AL.

Stephen M. Beney  
Registration No. 41,563  
/ps  
Encl.

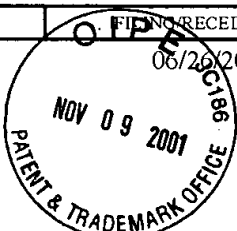


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/888,616	06/26/2001	Murray J. Thomson	2223-105

1059  
BERESKIN AND PARR  
SCOTIA PLAZA  
40 KING STREET WEST-SUITE 4000 BOX 401  
TORONTO, ON M5H 3Y2  
CANADA



CONFIRMATION NO. 8527

## FORMALITIES LETTER



\*OC00000006432244\*

Date Mailed: 08/16/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$18.
  - \$18 for 1 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 858.**

*A copy of this notice **MUST** be returned with the reply.*

11/13/2001 SZWDIE1 00000003 09888616

01 FC:201  
02 FC:203  
03 FC:205

370.00 OP  
9.00 OP  
65.00 OP

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE